

AO 94 (Rev. 12/03) Commitment to Another District

UNITED STATES DISTRICT COURT		SEP 05 2008
NORTHERN	District of	GEORGIA
UNITED STATES OF AMERICA V. SHIRANDA POSEY		COMMITMENT TO ANOTHER DISTRICT
DOCKET NUMBER		MAGISTRATE JUDGE CASE NUMBER
District of Arrest 1.08-MJ-1038	District of Offense 1:01-CR-195	District of Arrest 1.08-MJ-1038
CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN <input type="checkbox"/> Indictment <input type="checkbox"/> Information <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Other (specify) charging a violation of U.S.C. §		
DISTRICT OF OFFENSE MIDDLE DISTRICT OF PENNSYLVANIA		ATTEST: A TRUE COPY CERTIFIED THIS
DESCRIPTION OF CHARGES: SUPERVISED RELEASE VIOLATION		SEP 09 2008 James N. Hatten, Clerk By: <i>[Signature]</i> Deputy Clerk
CURRENT BOND STATUS: <input type="checkbox"/> Bail fixed at and conditions were not met <input type="checkbox"/> Government moved for detention and defendant detained after hearing in District of Arrest <input checked="" type="checkbox"/> Government moved for detention and defendant detained pending detention hearing in District of Offense <input type="checkbox"/> Other (specify)		
Representation: <input type="checkbox"/> Retained Own Counsel <input checked="" type="checkbox"/> Federal Defender Organization <input type="checkbox"/> CJA Attorney <input type="checkbox"/> None		
Interpreter Required? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Language.		
DISTRICT OF GEORGIA TO: THE UNITED STATES MARSHAL You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant. <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;"> <u>9/5/08</u> Date </div> <div style="text-align: center;"> <u><i>[Signature]</i></u> Judge </div> </div>		
RETURN		
This commitment was received and executed as follows:		
DATE COMMITMENT ORDER RECEIVED	PLACE OF COMMITMENT	DATE DEFENDANT COMMITTED
DATE	UNITED STATES MARSHAL	(BY) DEPUTY MARSHAL

CLOSED

**U.S. District Court
Northern District of Georgia (Atlanta)
CRIMINAL DOCKET FOR CASE #: 1:08-mj-01038-GGB All Defendants
Internal Use Only**

Case title: USA v. Posey

Date Filed: 09/05/2008

Other court case number: 1:01-CR-195-03 USDC MD PA,
Harrisburg Division

Date Terminated: 09/05/2008

Assigned to: Magistrate Judge Gerrilyn
G. Brill

Defendant (1)

Shiranda Posey

TERMINATED: 09/05/2008

represented by **Shiranda Posey**
PRO SE

Richard Brooks Holcomb

Federal Defender Program, Inc.

100 Peachtree Street NW

Suite 1700 The Equitable Building

Atlanta, GA 30303

404-688-7530

Fax: 404-688-0768

Email: Richard_Holcomb@FD.Org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Public Defender or

Community Defender Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

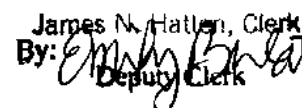
**ATTEST: A TRUE COPY
CERTIFIED THIS**

SEP 09 2008

Terminated Counts

None

Disposition

James N. Hatten, Clerk
By: 
Deputy Clerk

Highest Offense Level (Terminated)

None








Complaints


18:3583.F INCLUSION OF A TERM
OF SUPERVISED RELEASE AFTER
IMPRISONMENT.

Disposition**Plaintiff**

USA

represented by **Mary Christine Roemer**
Office of United States Attorney
75 Spring Street, S.W.
600 United States Courthouse
Atlanta, GA 30303
404-581-6000
Email: mary.roemer@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/05/2008	 <u>1</u>	Arrest (Rule 40) of Shiranda Posey (fap) (Entered: 09/09/2008)
09/05/2008	 <u>1</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER Rick Holcomb as to Shiranda Posey. Signed by Magistrate Judge Gerrilyn G. Brill on 09/05/08. (fap) (Entered: 09/09/2008)
09/05/2008	 <u>2</u>	Minute Entry for proceedings held before Magistrate Judge Gerrilyn G. Brill: Initial Appearance in Rule 5(c)(3) Proceedings as to Shiranda Posey held on 9/5/2008. Defendant waives Identity and Preliminary Hearing. Waiver filed. Preliminary and Detention Hearing Requested in Charging District. (Attachments: # <u>1</u> Warrant and Petition, # <u>2</u> Amended Judgment, # <u>3</u> Judgment) (Tape #GGB 08-29 @ 1627) (fap) (Entered: 09/09/2008)
09/05/2008	 <u>3</u>	WAIVER of Rule 40 Hearings by Shiranda Posey. (ekh) (Entered: 09/09/2008)
09/05/2008	 <u>4</u>	GOVERNMENTS MOTION for Detention by USA as to Shiranda Posey. (ekh) (Entered: 09/09/2008)
09/05/2008	 <u>5</u>	ORDER OF DETENTION Pending Final Hearing on Petition for Revocation of Supervised Release by Judge Gerrilyn G. Brill as to Shiranda Posey. (ekh) (Entered: 09/09/2008)
09/05/2008	 <u>6</u>	COMMITMENT TO ANOTHER DISTRICT as to Shiranda Posey. Defendant committed to USDC MD PA, Harrisburg Division. Signed by Magistrate Judge Gerrilyn G. Brill on 9/5/08. (cc: Hand delivered Original and 4 Certified Copies

		to USM on 9/8/08) (ekb) (Entered: 09/09/2008)
09/05/2008		Magistrate Case Closed. Defendant Shiranda Posey terminated. (ekb) (Entered: 09/09/2008)

Dgr
FILED IN CHAMBERS
U.S.D.C. Atlanta

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SEP 05 2008
JAMES H. HATTEN, Clerk
By: *Edwards*
Deputy Clerk

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CASE NO. 1:08-MJ-1038

SHIRANDA POSEY,

Defendant.

ORDER APPOINTING COUNSEL

RICK HOLCOMB

The above-named defendant has testified under oath or has filed with the Court an affidavit of financial status and hereby satisfied this Court that he or she is financially unable to employ counsel.

Accordingly, the **FEDERAL DEFENDER PROGRAM, INC.**, is hereby appointed to represent this defendant in the above-captioned case unless relieved by an Order of this Court or by Order of the Court of Appeals.

Dated at Atlanta, Georgia this 5th day of September, 2008.

Lorilyn D. Bruce
UNITED STATES MAGISTRATE JUDGE

DATE: 9/5/08 @ 3:16 PM

TAPE: GGB 08-29 @ 1627

TIME IN COURT: 4 min.

MAGISTRATE JUDGE GERRILYN G. BRILL COURTROOM DEPUTY CLERK: Suzy Edwards

CASE NUMBER: 1:08-MJ-1038 DEFENDANT'S NAME: SHIRANDA POSEY

AUSA: Mary Roemer DEFENDANT'S ATTY: Rick Holcomb

USPO / PTR: () Retained () CJA (X) FDP () Waived

X ARREST DATE 9/5/08

X Initial appearance hearing held. X Defendant informed of rights.

Interpreter, sworn: COUNSEL

X ORDER appointing Federal Defender as counsel for defendant.

ORDER appointing as counsel for defendant.

ORDER: defendant to pay attorney's fees as follows:

REMOVAL HEARING

X Defendant WAIVES identity hearing. X WAIVER FILED

Identity hearing HELD. Defendant is named defendant in complaint / indictment.

X Defendant WAIVES preliminary hearing in this district only. X Requested in charging district

Preliminary hearing HELD. Probable cause found. Defendant to answer to charges in other district.

X Commitment issued; defendant ORDERED held for removal to other district.

BOND/PRETRIAL DETENTION HEARING

X Government motion for detention filed. Pretrial hearing set for @

X Detention hrg requested in charging district (In charging district.)

Bond/Pretrial detention hearing HELD.

Government motion for detention () GRANTED () DENIED

Pretrial detention ordered. Written order to follow.

BOND set at NON-SURETY SURETY

cash property corporate surety ONLY

SPECIAL CONDITIONS:

Bond filed. Defendant released.

Bond not executed. Defendant to remain in Marshal's custody.

Motion (verbal) to reduce/revoke bond filed.

Motion to reduce/revoke bond GRANTED DENIED

See page 2

2

AO 142 (Rev. 5/93) Warrant for Arrest

United States District Court

MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

WARRANT FOR ARREST

v.

SHIRANDA POSEY

CASE NUMBER: 1:01-CR-195-03

Judge William W. Caldwell

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest SHIRANDA POSEY

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☐ Indictment ☐ Information ☐ Complaint ☐ Order of Court ☐ Violation Notice ☒ Probation Violation Petition

charging her with Violations of Conditions of Supervised Release.

Mark E. D'Andrea

Name of Issuing Officer

[Signature]

Signature of Issuing Officer or Deputy Clerk

Clerk, U.S. District Court, Middle District of PA

Title of Issuing Officer

December 28, 2003, Harrisburg, PA

Date and Location

Bail fixed at \$

by
Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

10847-067

Case 1:01-cr-00195-WWC Document 365 Filed 12/28/2005 Page 1 of 3

UNITED STATES DISTRICT COURT
for
MIDDLE DISTRICT OF PENNSYLVANIA

PETITION FOR WARRANT OR SUMMONS FOR OFFENDER UNDER SUPERVISION

Name of Offender: Shiranda Posey Case Number: 1:CR-01-195-03
Name of Sentencing Judicial Officer: The Honorable William W. Caldwell
Date of Original Sentence: June 24, 2002
Original Offense: Use of a Telephone in Committing a Felony Drug Offense, 21 U.S.C. § 843(b)
Original Sentence: 48 months imprisonment, \$1,000.00 fine, \$100.00 special assessment, and 12 months supervised release. On November 23, 2005, the defendant's term of supervised release was revoked, and the offender was re-sentenced to a term of two days imprisonment, with credit for time served, to be followed by six months supervised release.
Type of Supervision: Supervised Release Date Commenced: November 23, 2005
Asst. U.S. Attorney: William A. Behe Defense Attorney: Thomas Thornton

PETITIONING THE COURT

☒ To issue a Warrant:

☐ To issue a Summons

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
General Condition	<p>"While on supervised release, the defendant shall refrain from any unlawful use of a controlled substance."</p> <p>During interviews with the probation officer, Ms. Posey admitted to using the following drugs on the dates indicated: Marijuana - November 24, 2005; Cocaine - November 24 through November 26, 2005, December 3, December 4, December 9, and December 12, 2005; and Heroin - November 24, November 26, December 3, December 4, December 9, and December 12, 2005.</p> <p>On December 12, 2005, Ms. Posey admitted to having taken and consumed unknown pills given to her by a friend. None of these pills were prescribed to Ms. Posey. One of the pills she admitted consuming December 9, 2005, was methadone. Ms. Posey showed the probation officer one of the remaining methadone tablets.</p>

Ms. Posey was released. Currently, there are no charges pending against Ms. Posey.

APR 14 2009 08:44 FR US MARSHALS

717 782 4412 TO 5,14047302349

P.04

POSEY, Shiranda
Page 2
Request for Warrant

Additionally, Ms. Posey tested positive for Marijuana, Cocaine, and Heroin on December 21, 2005, after being discharged from White Deer Run Detox Facility on December 20, 2005.

Standard Condition #2

"The defendant shall report to the Probation Officer..."

On November 28, December 7, December 14, and December 27, 2005, Ms. Posey failed to report to the probation officer as directed.

Standard Condition #5

"The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons."

On November 28 and December 9, 2005, Ms. Posey admitted that, despite direction from the probation officer, she has not made an effort to locate suitable employment.

Standard Condition #9

"The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer."

On November 28, 2005, Ms. Posey admitted using illicit substances with "friends" on November 24 through November 26, 2005.

On December 6, 2005, Ms. Posey admitted purchasing and using illicit substances with Wanda Kimbell on December 3 and December 4, 2005.

On December 9, 2005, Ms. Posey admitted associating with Timothy Perry, her boyfriend, for the past six months. Mr. Perry is a convicted felon who had an outstanding warrant issued by the New York State Parole Office in Manhattan, New York. Mr. Perry was taken into custody at Ms. Posey's apartment December 6, 2005.

On December 6, 2005, U.S. Marshals and Williamsport police confiscated heroin, methadone, marijuana, a large quantity of cash, and a firearm from Ms. Posey's residence. The confiscated items reportedly belonged to Mr. Perry who appeared to have established a partial residence at the apartment with Ms. Posey. Both were taken into custody with a third individual; however, Ms. Posey was released. Currently, there are no charges pending against Ms. Posey.

Case 1:01-cr-00195-WWC Document 365

Filed 12/28/2005 Page 3 of 3

POSEY, Shiranda

Page 3

Request for Warrant

U.S. Probation Officer Recommendation:

☒ The term of supervision should be☒ revoked.☐ extended for _____ years, for a total term of _____ years.☐ The conditions of supervision should be modified as follows:

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: 12/28/05by: [Signature]

William C. Pool for
Cheryl C. Kennedy
U.S. Probation Officer

THE COURT ORDERS☐ No Action☒ The Issuance of a Warrant☐ The Issuance of a Summons☐ Other[Signature]

William W. Caldwell, United States District Judge

12/28/06

Date

Case 1:01-cr-00195-WWC Document 359 Filed 12/05/2005 Page 1 of 3
 (8/96) Judgment in a Criminal Case for Revocations

UNITED STATES DISTRICT COURT

MIDDLE

District of

PENNSYLVANIA

UNITED STATES OF AMERICA

V.

SHIRANDA POSEY

JUDGMENT IN A CRIMINAL CASE

(For Revocation of Probation or Supervised Release)

(For Offenses Committed On or After November 1, 1987)

Case Number:

AMENDED - CR-01-00195-003

Thomas Thornton, FPD

Defendant's Attorney

THE DEFENDANT:

- ☒ admitted guilt to violation of condition(s) #2, 6 & Special Condition #1 the term of supervision.
☐ was found in violation of condition(s) _____ after denial of guilt.

Violation Number

#2

Nature of Violation

Defendant shall report to the probation office & submit written reports w/in the first 5 days of each month.

Date Violation

Concluded
 07/06/2005

FILED
 HARRISBURG, PA

#6

Defendant shall notify the probation officer 10 days prior to any change in residence.

05/18/2005 DEC 05 2005

Special Condition

Defendant shall pay any balance of the fine imposed in minimum monthly installments of no less than \$85.

MARY E. HANCOCK, CLERK
 July 2005
 Deputy Clerk

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has not violated _____ and is discharged as to such violation(s) condition.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. 151-68-1580

Defendant's Date of Birth: 09/06/1970

Defendant's USM No.: 10847-067

Defendant's Residence Address:

November 23, 2005

Date of Imposition of Judgment

William W. Caldwell
 Signature of Judicial Officer

William W. Caldwell, United States District Judge
 Name and Title of Judicial Officer

December 5, 2005
 Date

Certified from the record

Date 12/5/05
 Mary E. Hancock, Clerk
 For Shiranda Posey
 Deputy Clerk

DEFENDANT: Shiranda Posey
CASE NUMBER: 1:CR-01-00195-003

Judgment — Page 2 of 5**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of time served (two days)

The court makes the following recommendations to the Bureau of Prisons:

The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____
☐ as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
before 2 p.m. on _____

☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____

Deputy U.S. Marshal

AO 243D Case 1:01-cr-00195-WWC Document 359 Filed 12/05/2005 Page 3 of 5
 (295) Judgment in a Criminal Case for Revocations
 Sheet 3— Supervised Release

DEFENDANT: Shiranda Posey
 CASE NUMBER: 1:CR-01-00195-003

Judgment—Page 3 of 5

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of six months

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

X The defendant shall not possess a firearm as defined in 18 U.S.C. § 921. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245D Case 1:01-cr-00195-WWC Document 359
Sheet 3 — Reverse — Supervised Release

Filed 12/05/2005 Page 4 of 5

DEFENDANT: Shiranda Poscy
CASE NUMBER: 1:CR-01-00195-003

Judgment — Page 4 of 5

ADDITIONAL SUPERVISED RELEASE TERMS

1. The defendant shall submit to a drug and alcohol evaluation and participate in a program of testing and treatment for drug and alcohol abuse, as directed by the Probation Officer.
2. The defendant shall submit to regular urinalysis testing as directed by the Probation Office.

DEFENDANT: Shiranda Posey
CASE NUMBER: 1:CR-01-00195-003

Judgment—Page 5 of 5

ADDITIONAL STANDARD CONDITIONS OF SUPERVISION

14. You shall refrain from possessing a firearm, destructive device, or other dangerous weapon;
15. You shall participate in a program of testing and treatment for drug abuse, as directed by the Probation Officer, until such time as you are released from the program by the Probation Officer;
16. The defendant shall notify the Court of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay restitution, fines, or special assessments;
17. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the Probation Officer unless the defendant is in compliance with the installment schedule for payment of restitution, fines, or special assessments;
18. The defendant shall provide the Probation Officer with access to any requested financial information.

Case 1:01-cr-00195-WWC Document 414 Filed 09/17/2008 Page 16 of 25
AO (8/95) Judgment in a Criminal Case for Revocations
Financial Times
Case 1:01-cr-00195-WWC Document 414 Filed 09/17/2008 Page 16 of 25
James E. L. V. 23 2005
800

UNITED STATES DISTRICT COURT

MIDDLE

District of

PENNSYLVANIA

UNITED STATES OF AMERICA

V.

SHIRANDA POSEY

JUDGMENT IN A CRIMINAL CASE

(For Revocation of Probation or Supervised Release)

(For Offenses Committed On or After November 1, 1987)

Case Number:

1:CR-01-00195-003

Thomas Thornton, FPD

Defendant's Attorney

THE DEFENDANT:

- ☒ admitted guilt to violation of condition(s) #2, 6 & Special Condition #1 the term of supervision.
☐ was found in violation of condition(s) _____ after denial of guilt.

Violation Number

Nature of Violation

Date Violation

Concluded

#2

Defendant shall report to the probation office & submit written reports w/in the first 5 days of each month.

07/06/2005

#6

Defendant shall notify the probation officer 10 days prior to any change in residence.

05/18/2005

Special Condition

Defendant shall pay any balance of the fine imposed in minimum monthly installments of no less than \$85.

July 2005

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has not violated _____ and is discharged as to such violation(s) condition.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. _____

Defendant's Date of _____

Defendant's USM No.: 10847-067

Defendant's Residence Address: _____

Defendant's Mailing Address: _____

November 23, 2005

Date of Imposition of Judgment

William W. Caldwell

Signature of Judicial Officer

William W. Caldwell, United States District Judge

Name and Title of Judicial Officer

November 23, 2005

Date

Certified from the record

Date 11/23/05

Mary E. Davidson, Clerk

Michael
Deputy Clerk

AO 245D (8/96) Judgment in a Criminal Case for Revocations
Sheet 3- Supervised Release

DEFENDANT: Shiranda Posey
CASE NUMBER: 1:CR-01-00195-003

Judgment—Page 2 of 4

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of six months from the expiration date of 12/19/2005.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

X The defendant shall not possess a firearm as defined in 18 U.S.C. § 921. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Case 1:01-cr-00195-WWC Document 357 Filed 11/23/2005 Page 3 of 4

AO 245D (6/99) Judgment in a Criminal Case for Revocations
Sheet 3—Reverse—Supervised Release

DEFENDANT: Shiranda Posey
CASE NUMBER: 1:CR-01-00195-003

Judgment—Page 3 of 4

ADDITIONAL SUPERVISED RELEASE TERMS

1. The defendant shall submit to a drug and alcohol evaluation and participate in a program of testing and treatment for drug and alcohol abuse, as directed by the Probation Officer.
2. The defendant shall submit to regular urinalysis testing as directed by the Probation Office.

AO 245D (6/99) Judgment in a Criminal Case for Revocations
Sheet 3 — Continued 1 — Supervised Release

DEFENDANT: Shiranda Posey
CASE NUMBER: 1:CR-01-00195-003

Judgment—Page 4 of 4

ADDITIONAL STANDARD CONDITIONS OF SUPERVISION

14. You shall refrain from possessing a firearm, destructive device, or other dangerous weapon;
15. You shall participate in a program of testing and treatment for drug abuse, as directed by the Probation Officer, until such time as you are released from the program by the Probation Officer;
16. The defendant shall notify the Court of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay restitution, fines, or special assessments;
17. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the Probation Officer unless the defendant is in compliance with the installment schedule for payment of restitution, fines, or special assessments;
18. The defendant shall provide the Probation Officer with access to any requested financial information.

Page 2

Defendant: _____

Case No.: _____

Date: _____

WITNESSES:

EXHIBITS:

Original Exhibits _____ RETAINED by the Court _____ RETURNED to counsel

FILED IN OPEN COURT

U.S.D.C. Atlanta

UNITED STATES DISTRICT COURT

DEL SEP 05 2008

NORTHERN

DISTRICT OF

JAMES N. HATTEN, Clerk
GEORGIA Deputy Clerk

UNITED STATES OF AMERICA

WAIVER OF RULE 32.1 HEARINGS

(Probation/Supervised Release Violation)

V.

CASE NUMBER: 1:08-MJ-1038

SHIRANDA POSEY

CHARGING DISTRICTS
CASE NUMBER: 1:01-CR-195-03

Defendant

I understand that charges are pending in the MIDDLE District of PENNSYLVANIA

alleging violation of Supervised Release and that I have been arrested in this district and
(Probation / Supervised Release)

taken before a judge, who has informed me of the charge(s) and my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) a preliminary hearing (but only if I will be kept in custody, and the hearing will only be held in this district if the alleged violation occurred here) to determine whether there is probable cause to believe a violation occurred; and
- (4) a hearing under Rule 32.1(a)(6), Fed. R. Crim. P., in which I have the burden of establishing my eligibility for release from custody.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- () identity hearing
- () preliminary hearing
- (☒) identity hearing but request a preliminary hearing ^{detention hearing} be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Shiranda Posey
Defendant

9/5/08

Date

RB. H. L.
Defense Counsel

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ORIGINAL

FILED IN OPEN COURT
U.S.D.C. Atlanta

SEP 05 2008

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

JAMES N. HATTEN, Clerk
By: *[Signature]* Deputy Clerk

ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

SHIRANDA POSEY

CRIMINAL ACTION NO.
1:08-MJ-1038

GOVERNMENT'S MOTION FOR DETENTION

Comes now the United States of America, by and through its counsel, David E. Nahmias, United States Attorney, and Mary C. Roemer, Assistant United States Attorney for the Northern District of Georgia, and pursuant to 18 U.S.C. §§ 3143(a) and Fed. R. Crim. P. 32.1(a)(6) moves for detention of the above-captioned defendant. The Court should detain Defendant unless it finds by clear and convincing evidence that Defendant is not likely to flee or pose a danger to the community.

Dated: this 5th day of September, 2008.

Respectfully submitted,

DAVID E. NAHMIA
UNITED STATES ATTORNEY

[Signature]
MARY C. ROEMER
ASSISTANT U.S. ATTORNEY
600 U.S. Courthouse
75 Spring Street, SW
Atlanta, Georgia 30303
(404) 581-6265
Ga. Bar No. 611790


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CERTIFICATE OF SERVICE

This is to certify that I have this day filed the foregoing document by hand-delivery to the court and provided a copy of the same to defense counsel by hand-delivery.

Attorney for Defendant

This 5th day of September, 2008.

A handwritten signature in black ink, appearing to read 'Mary C. Roemer', is written over the printed name.

MARY C. ROEMER
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DE V SEP 8 5 2008

JAMES M. HATTEN, Clerk
By: *[Signature]*
Deputy Clerk

UNITED STATES OF AMERICA,
vs.
SHIRANDA POSEY

ORDER OF DETENTION PENDING FINAL
HEARING ON PETITION FOR REVOCATION
OF SUPERVISED RELEASE

CASE NO. 1:08-MJ-1038

In accordance with FED. R. CR. P. 32.1(a)(6) and 46(d), and the Bail Reform Act, 18 U.S.C. §3143(a), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending the holding of the final hearing on the petition to revoke supervised release in this case.

Part I - Findings

The Defendant has not shown by clear and convincing evidence that:

- ☒ (1) The Defendant is not a serious risk of non-appearance at the final hearing;
- ☒ (2) There is not a serious risk that the defendant will endanger the safety of another person or the community.

Part II - Written Statement of Reasons for Detention

I find that the credible testimony and information submitted at the hearing establishes that:

*(Defendant waived detention hearing
in this district)*

Part III - Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative of confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

IT IS SO ORDERED, this the 5th day of September, 2008.

Gerrilyn Brill
GERRILYN G. BRILL
UNITED STATES MAGISTRATE JUDGE

FILED IN CHAMBERS
U.S.D.C. Atlanta

AO 94 (Rev. 12/03) Commitment to Another District

UNITED STATES DISTRICT COURT

SEP 05 2008

NORTHERN

District of

GEORGIA

JAMES N. HATTEN, Clerk
Deputy Clerk

UNITED STATES OF AMERICA

V.

COMMITMENT TO ANOTHER
DISTRICT

SHIRANDA POSEY

DOCKET NUMBER

MAGISTRATE JUDGE CASE NUMBER

District of Arrest

District of Offense

District of Arrest

District of Offense

1:08-MJ-1038

1:01-CR-195

1:08-MJ-1038

CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

☐ Indictment☐ Information☐ Complaint☒ Other (specify)

charging a violation of

U.S.C. §

DISTRICT OF OFFENSE

MIDDLE DISTRICT OF PENNSYLVANIA

DESCRIPTION OF CHARGES:

SUPERVISED RELEASE VIOLATION

CURRENT BOND STATUS:

☐ Bail fixed at

and conditions were not met

☐ Government moved for detention and defendant detained after hearing in District of Arrest☒ Government moved for detention and defendant detained pending detention hearing in District of Offense☐ Other (specify)

Representation:

☐ Retained Own Counsel☒ Federal Defender Organization☐ CJA Attorney☐ None

Interpreter Required?

☒ No☐ Yes

Language.

DISTRICT OF GEORGIA

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

9/5/08
DateLervyn D. Brill
Judge

RETURN

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED

PLACE OF COMMITMENT

DATE DEFENDANT COMMITTED

DATE

UNITED STATES MARSHAL

(BY) DEPUTY MARSHAL

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